

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **LENTRICHIA ET AL**

Docket No.

11.021011

Application No.

10/617,929

Filing Date

09-25-03

Examiner

Salimi, Ali Reza

Customer No.

0000 38732

Group Art Unit

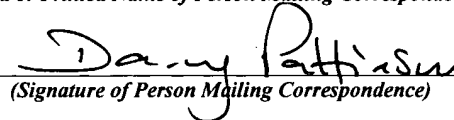
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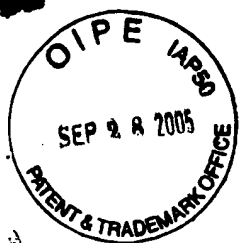
Invention: **APPARATUS AND METHOD FOR SEPARATING VIRAL PARTICLES FROM CELLS**

I hereby certify that the following correspondence:

RESPONSE TO RESTRICTION REQUIREMENT,*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

9-28-05*(Date)***Darry Pattinson***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EV 491291981 US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**



9-29-05

Attorney's Docket No.: 11.021011

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : LENTRICHIA *et al.* Art Unit : 1648
Serial No. : 10/671,929 Examiner : Salimi, Ali Reza
Filed : September 25, 2005
Title : Apparatus and Method for Separating Viral Particles From Cells

September 28, 2005

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

In response to the restriction requirement of the outstanding Office Action mailed September 7, 2005, applicant elects the invention of Group IV (claims 14-18) drawn to a method of analyzing a biological sample to detect cells infected by a virus. This election is made with traverse.

Applicants have elected with traverse and request that Groups I and IV be examined together despite the fact that the inventions of Groups I and IV are patentably distinct. The claims of Groups I and IV should be examined together because all of the claimed inventions require the analysis a biological sample to detect cells infected by a virus. As a result, a search based on a method for analyzing a biological sample to detect cells infected by a virus (Group IV (claims 14-18)) will be relevant to the invention of Group I. Thus, prosecution will be faster and more efficient if Group I and IV are examined together. Moreover, under MPEP §821.04, Applicants would be entitled to request rejoinder of the method claims of Group I after the method claims of Group IV are found to be allowable. Applicants believe that it would be faster and more efficient to consider the method claims together. This is because, despite the fact that

the inventions are patentably distinct, many of the issues surrounding the patentability of the claims will be related.

Likewise, Applicants request that Groups II, III, V and VI be examined together despite the fact that the inventions of Groups II, III, V and VI are patentably distinct. The claims of Groups II, III, V and VI should be examined together because all of the claimed inventions are drawn to a method of separating virus particles from a medium. As a result, a search based on a method for method of separating virus particles will be relevant to the inventions of Group Groups II, III, V and VI. Thus, prosecution will be faster and more efficient if Groups II, III, V and VI are examined together. Again, Applicants believe that it would be faster and more efficient to consider the method claims together. This is because, despite the fact that the inventions are patentably distinct, many of the issues surrounding the patentability of the claims will be related.

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Respectfully submitted,



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